



City of San Antonio

Agenda Memorandum

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Agenda Item Number: 5

Agenda Date: September 22, 2022

In Control: Planning and Community Development Committee

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: Citywide

SUBJECT:

Briefing and possible action on options to proactively inspect multi-family residential properties for compliance with minimum health and safety housing standards.

SUMMARY:

Two recent cases involving apartment complexes this summer, where significant property maintenance violations have negatively impacted the health and safety of residents, have highlighted the need to review options to address proactive inspections at multi-family residential properties and possibly create a “Bad Actor” Apartment Registration Program. Development Services presented three options to begin addressing proactive inspections of apartment communities at the Planning and Community Development Committee on August 25, 2022, and were asked to further brief the Committee at the September meeting.

BACKGROUND INFORMATION:

Apartment complexes present a unique and challenging situation when owners fail to meet the City's minimum property maintenance standards and safety codes because of the negative impacts to health and quality of life to multiple tenants and families. This summer, there were two separate apartment complexes with significant property maintenance code violations: Colinas at Medical formerly known as Seven Oaks (Council District 7) and Wurzbach Manor (Council District 8). The City's Development Services Department (DSD) Code Enforcement team responded to the calls for service and have issued notices as well as citations to bring the properties into compliance. Despite these efforts, the health and safety of residents were negatively impacted and proactive inspections have been requested moving forward to mitigate the presence of similar conditions at other apartment complexes.

Currently, Code Enforcement reactively responds to calls related to apartment property maintenance violations. Code Enforcement inspects these locations to determine whether violations exist and directs owners to correct the property maintenance violations per the City's notice and citation procedures. DSD also has a Multi-Tenant Inspection (MTI) team that assists with challenging code enforcement cases and inspects apartment complexes with significant property maintenance violations. The MTI team is dispatched when multiple code violations are noted in an apartment complex to quickly identify and facilitate the resolution of code violations and ensure property owners correct the property maintenance issues. Again, the MTI team is part of a reactive response to these properties.

The City does have a few proactive inspection programs in place to enforce code compliance. The Boarding Home and Mobile Living Park Teams are dedicated to proactively ensuring the living conditions for some of our City's most vulnerable residents. Additionally, the Dangerous Assessment Response Team (DART) is a proactive unit that investigates nuisance properties with a two-year documented code and/or criminal history.

The City has outlined three options to increase the City's ability to proactively inspect multi-family properties for compliance with minimum health and safety housing standards:

1. Code Enforcement Apartment Inspectors – two additional Code Enforcement Officers were added to focus on proactive inspections of apartment communities. These positions are supported by the General Fund and approved by City Council as part of the FY 2023 Operating and Capital Budget.
2. Create a "Bad Actor" Apartment Registration Program – to move forward with this option, DSD recommends the creation of a stakeholder group that utilizes the Housing Commission and a subcommittee to develop the program. This option will be supported by fees paid by "Bad Actor" Apartments. A change to City code will need to occur to require apartment properties with a "higher than normal" number of code violations (aka, "Bad Actors") to be registered with the City and be subject to additional proactive inspections to ensure code compliance. These "Bad Actor" Apartments would be charged a fee to cover the cost of additional Code Enforcement staff to conduct these proactive apartment inspections at these properties. Additional City fees would only apply to properties with a higher number of code violations to incentivize owners to stay in compliance and not have to enter program and pay the fee.

3. Create an Apartment Registration and Inspection Program for ALL Apartments – supported by fees paid by all apartment communities, regardless of whether they are bad actors; DSD recommends launching and then assessing options 1 and 2 before all apartments are required to register. A change to City code will need to occur to require ALL apartments be registered with the City and be subject to additional proactive inspections during regular intervals to better ensure code compliance.

These options will be discussed as part of a stakeholder process to develop a balanced proposal to address conditions at apartment conditions which negatively impact tenants.

ISSUE:

The Development Services Department’s Code Enforcement team currently responds reactively to calls related to apartment property maintenance violations. Completion of stakeholder processes, to include stakeholders such as apartment owners/operators and housing advocates, will assist the City with effectively utilizing the two new Code Enforcement Officers that were approved in the FY2023 city budget and will look to develop potential code changes to address violations at multi-family residential properties and possible creation of a Bad Actor Apartment Registration Program that will increase the number of proactive inspections at these locations. The increase in proactive inspections is expected to ensure compliance with City codes and increase the quality of life for tenants who reside at apartment complexes.

FISCAL IMPACT:

This item is for briefing purposes only.

ALTERNATIVES:

This item is for briefing purposes only.

RECOMMENDATION:

Staff recommends the creation of a stakeholder task force utilizing the Housing Commission and additional relevant housing experts to discuss and develop potential code changes and possible creation of a Proactive Apartment Inspections Program.